

MEMO ENDORSED



UNITED STATES
SECURITIES AND EXCHANGE COMMISSION
NEW YORK REGIONAL OFFICE
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NEW YORK, NEW YORK 10281-1022

USDS SDNY DOCUMENT ELECTRONICALLY FILED DOC # FILED 1-24-14 WRITER'S DIRECT DIAL LINE (212) 336-6095
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January 24, 2014

BY EMAIL

Honorable Richard J. Sullivan
United States District Court Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

IT IS HEREBY ORDERED THAT Defendants' shall submit their response no later than February 7, 2014. The SEC shall submit its reply no later than February 14, 2014.


Re: SEC v. Amerindo Investment Advisors Inc., et al., 05-Civ.- 5231 (RJS)

Dear Judge Sullivan:

The staff of the Securities and Exchange Commission ("Commission") respectfully requests that the Court extend (1) the date by which Defendants Alberto Vilar and Gary Tanaka are required to respond to the Commission's November 22, 2013 motion ("Motion") to set disgorgement and penalties against them to February 7, 2014, and (2) the date by which the Commission is required to file a reply to February 14, 2014. As set forth in the attached email correspondence, after the Court granted the Defendants' request to extend their response date to January 31, 2014, the Commission sought Defendants' consent to extend the Commission's time to reply by one week. At that time, counsel to the Defendants requested that the staff consent to an additional one week to file a response for the reasons set forth in her email. The staff does not object to counsel's request for the additional one week, subject to the Court's granting the Commission additional time to reply.


Alternatively, if the Court is not inclined to grant the Defendants an additional week to file a response, the staff respectfully requests that the Court grant the Commission until February 7, 2014 to file a reply.

Respectfully Submitted,


Neal Jacobson
Senior Trial Counsel

Cc (via email):

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SO ORDERED
Date: 
RICHARD E. SULLIVAN
U.S.D.J.
1/24/14